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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 020028B-P1-03-DCL	
In Re Application Of: D. Scott Harper, et al.					
Application No. 10/827,501	Filing Date 04/19/04	Examiner Not yet assigned	Customer No. 29668	Group Art Unit Not yet assigned	Confirmation No.
Title: Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions Containing The Same and Methods of Using the Same					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
OR					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))  
SEP 27 2004Docket No.  
020028B-P1-03-DCLIn Re Application: **D. Scott Harper, et al.**

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10/827,501	04/19/04	Not yet assigned		Not yet assigned	

**Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions****The Same and Methods of Using the Same****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **23-0458** as described below.
- ☐ Charge the amount of \_\_\_\_\_
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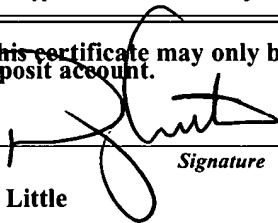
**Certificate of Mailing by First Class Mail**I certify that this document and fee is being deposited on **9/23/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Lisa Peters

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\*This certificate may only be used if paying by deposit account.

  
SignatureDated: **9/23/04**

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**Customer No.: 29668**

CC:



Docket No.: 020028B-P1-03-DCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: D. Scott Harper, et al.

Serial No.: 10/827,501

Group Art Unit: Not yet assigned

Filed: 04/19/04

Examiner: Not yet assigned

For: Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions  
Containing The Same and Methods of Using the Same

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R. § 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23<sup>rd</sup> day of September, 2004.

By: Lisa Peters  
Lisa Peters

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney or agent of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.98 (a) (2), unless otherwise indicated herein, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

The following are also included, if applicable, and as required under 37 C.F.R. § 1.98:

— In accordance with 37 C.F.R. § 1.98 (a) (3), the following concise explanation of the relevance of each listed reference that is not in the English language and is not accompanied by a translation into English or discussed in the present specification, is provided.

— The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (c), they are substantially cumulative of the \_\_\_\_ reference:

— The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (d), they were previously submitted to the Office in prior application **U.S. Patent Application No. 10/319,700 with a filing date of 12/13/02**, which is relied upon for an earlier filing date under 35 U.S.C. 120.

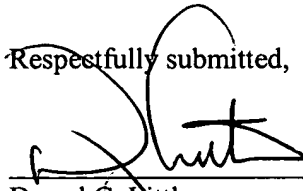
The certification specified in 37 C.F.R. § 1.97 (e), if required, is made below:

— I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (1).

— I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (2).

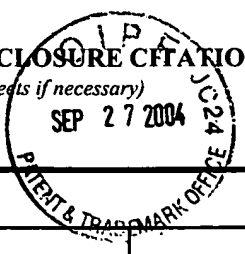
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23-0458.

Date: 9/23/04

Respectfully submitted,  
  
\_\_\_\_\_  
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<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>PC020028B-P1-03-DCL</b>	Application Number <b>10/827,501</b>
	Applicant(s) <b>D. Scott Harper, et al.</b>	
	Filing Date <b>04/19/04</b>	Group Art Unit <b>Not yet assigned</b>



**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		(XP-001145986) - Microbial and Chemical Transformation Studies of the Bioactive Marine Sesquiterpenes (S)-(+)-Curcudiol Isolated from a Deep Reef Collection of the Jamaican Sponge <i>Didiscus oxeata</i> ; El Sayed, Khalid A., J. Nat. Prod., 2002, 65, Pp. 1547-1553.

EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.